

Message Text

CONFIDENTIAL

PAGE 01 DACCA 02640 01 OF 02 271455Z
ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
SSM-03 IO-13 AID-05 PC-01 HA-05 /091 W
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R 271150Z APR 78
FM AMEMBASSY DACCA
TO SECSTATE WASHDC 9050
INFO AMCONSUL CALCUTTA
AMEMBASSY COLOMBO
AMEMBASSY ISLAMABAD
AMEMBASSY KATHMANDU
AMEMBASSY NEW DELHI
CINCPAC

C O N F I D E N T I A L SECTION 1 OF 2 DACCA 2640

E.O. 11652: GDS
TAGS: PINT, BG
SUBJ: THE PRESIDENTIAL ELECTION

1. SUMMARY: BANGLADESH HAS SET IN MOTION THE PROCEDURES WHICH WILL CULMINATE IN THE FIRST DIRECT PRESIDENTIAL ELECTION IN THE SUB-CONTINENT. AS IT DOES SO SEVERAL QUESTIONS REMAIN. WHY IS THE ELECTION BEING HELD NOW? WHO WILL BE THE CONTESTANTS, AND WILL PRESIDENT ZIA BE OPPOSED? WILL IT BE CONDUCTED FAIRLY? FOR WHAT OFFICE IS THE PRESIDENT RUNNING, I.E., WHAT WILL BE THE WINNER'S POWERS IN A NEW POLITICAL SYSTEM? WHAT ISSUES WILL BE DEBATED? WHAT MIGHT HAPPEN SHOULD ZIA LOSE? THIS TELEGRAM ADDRESSES THESE QUESTIONS IN A PRELIMINARY MANNER. END SUMMARY.
2. THE COUNTRIES OF THE SUB-CONTINENT WHICH HAVE EMERGED FROM THE BRITISH SYSTEM HAVE, SO FAR, HELD INDIRECT ELECTIONS FOR THE PRESIDENCY, EITHER THROUGH PARLIAMENTARY AND LEGISLATIVE BODIES OR THROUGH AN ELECTORAL COLLEGE (AS SYUB'S SYSTEM). THE ELECTION SCHEDULED FOR JUNE 3
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 DACCA 02640 01 OF 02 271455Z

IN BANGLADESH WILL BE THE FIRST FOR WHICH THE MANDATE WILL BE GIVEN BY THE GENERAL ELECTORATE. THIS, IN ITSELF, WOULD BESTOW UPON THE WINNER THE RIGHT TO CLAIM TO BE THE DIRECT REPRESENTATIVE OF THE PEOPLE IN A MANNER IN WHICH NO PRIME MINISTER, ELECTED FROM ONE OF 300 CONSTITUENCIES AND AFFIRMED BY A PARTY, COULD EQUALLY CLAIM. FROM THIS, THE PRESIDENT WILL DERIVE A PLACE IN WHATEVER SYSEM

BANGLADESH CHOOSES TO FOLLOW WHICH, WHETHER CONSTITUTIONALLY OR BY IMPUTATION, SHOULD BE SUPERIOR TO THAT OF ANY OTHER OFFICER OF THE GOVERNMENT.

3. IN THE VIEW OF MANY, THE ELECTION IS BEING SCHEDULED PERHAPS A MONTH TOO LATE FOR THE TYPE OF WEATHER GENERALLY PREFERRED FOR CAMPAIGNING. WE ARE ALREADY INTO THE PRE-MONSOON RAINS AND MORE MAY WELL BE EXPECTED AS THE CAMPAIGN GETS UNDERWAY. (THE NEW SECRETARY OF THE ELECTION COMMISSION SAID THAT HE CHOSE JUNE 3 AMONG SEVERAL DATES AT THE END OF MAY AND IN EARLY JUNE BY STUDYING THE PHASES OF THE MOON AND OTHER METEOROLOGICAL FACTORS.) MORE IMPORANTLY, HOWEVER, MANY ADVISORS HAVE URGED UPON ZIA THAT HE TEST THE ELECTORAL CLIMATE BEFORE THE MONSOON PERIOD. BANGLADESH HAS HAD SEVERAL GOOD MONSOONS IN A ROW, HAS AVOIDED HEAVY FLOODING AND HAS NOT BEEN VISITED BY THE CYCLONES WHICH ARE PREVALENT IN THIS COUNTRY. THE ODDS SEEM TO BE THAT THIS STRING OF CLIMATOLOGICAL LUCK MAY WELL RUN OUT AND IF IT DOES THE PRESENT GOVERNMENT IS LIKELY TO REAP CRITICISM EVEN THOUGH IT CAN HARDLY BE HELD RESPONSIBLE. THUS, THE ADVISORS HAVE SAID, STRIKE NOW EHILE CONDITIONS IN THE COUNTRY, ECONOMICALLY AND IN THE LAW AND ORDER AREA, ARE RELATIVELY GOOD AND THE DANGERS OF THE WEATHER HAVE NOT YET ARRIVED. WHILE AN APRIL ELECTION MIGHT HAVE BEEN BETTER, ONE IN JUNE SEEMS TO BE MORE PREFERABLE TO ZIA THAN ONE IN THE FALL.
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 DACCA 02640 01 OF 02 271455Z

4. AT THE MOMENT, THE LEADING CANDIDATE FOR THE PRESIDENCY APPEARS TO BE INELIGIBLE. THERE SIM SOME DOUBT ON THE LEGALITIES OF THE POINT, BUT THE OPINION OF THE SECRETARY OF THE ELECTION COMMISSION IS THAT ZIA IS, AT THIS WRITING, BARRED FROM CONTESTING AS HE HOLDS AN OFFICE OF PROFIT UNDER THE REPUBLIC IN AS MUCH AS HE IS A COMMISSIONED OFFICER IN THE BANGLADESH ARMY. (THERE IS ANOTHER VIEW THAT POLITICAL ACTIVITY OF GOVERNMENT EMPLOYEES WAS SANCTIONED BY THE MUJIBIST 4TH AMENDMENT TO THE CONSTITUTION AND BY DERIVATION THIS WOULD INCLUDE RUNNING FOR POLITICAL OFFICE.) IF THE VIEW OF THE SECRETARY AND MANY OTHERS IS CORRECT, IT WOULD BE REQUIRED THAT ZIA RESIGN HIS COMMISSION AND DO SO BEFORE THE MAY 2 DEADLINE FOR NOMINATIONS. (THE SECRETARY SAID THAT AS HE SAW IT HE WOULD HAVE TO REJECT ZIA'S NOMINATION AT SCRUTINY ON MAY 3) UNLESS HE RESIGNED. IF ZIA RESIGNS, HE WOULD LOSE THE DIRECT RELATIONSHIP HE HAS WITH ONE OF HIS POWER BASES, THE ONE WHICH HAS BEEN MOST IMPORTANT SO FAR. HE PRESUMABLY WOULD APPOINT A LOYAL SUPPORTER, MAJOR GENERAL ERSHAD, TO THE POST OF CHIEF OF THE ARMY STAFF AND ERSHAD, FOLLOWING THE RELIEF OF MAJOR GENERAL DASTGIR, IS THE MOST SENIOR

SERVING OFFICER IN THE ARMY. HE IS, HOWEVER, A REPATRIATE FROM PAKISTAN AND NOT A FREEDOM FIGHTER. THERE IS, THEREFORE, A POTENTIAL PROBLEM, BUT RIGHT NOW MOST OBSERVERS FEEL THAT ERSHAD'S SUCCESSION WOULD NOT BE CHALLENGED.

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PAGE 01 DACCA 02640 02 OF 02 271511Z
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C O N F I D E N T I A L SECTION 2 OF 2 DACCA 2640

5. THERE IS MUCH SPECULATION ON POSSIBLE CANDIDATES TO OPPOSE ZIA. LITTLE COULD BE MORE EMBARRASSING TO ZIA THAN TO FIND HIMSELF ELECTED UNOPPOSED. ONE REASON FOR HOLDING THE ELECTION, IN ADDITION TO OBTAINING A CLEAR MANDATE AT HOME, IS TO SHOW THOSE COUNTRIES IN THE WORLD WHICH STAND FOR HUMAN RIGHTS AND PUBLIC PARTICIPATION, THAT BANGLADESH CAN CONDUCT A CONTESTED ELECTION AND THAT ZIA CAN WIN. THERE IS A POSSIBILITY OF THE PARTIES OPPOSED TO ZIA FOREGOING THE OPPORTUNITY, BUT THIS IS PROBABLY OFFSET BY A GREATER DESIRE, ESPECIALLY ON THE PART OF THE AWAMI LEAGUE, TO ENTER THE FRAY, EITHER TO WIN OR TO WHINE ABOUT RIGGING IF IT LOSES. NAMES ARE HARD TO COME BY NOW AND, IN ANY EVENT, WILL BE KNOWN AFTER THE LAST DATE FOR WITHDRAWAL ON MAY 7. THOSE BEING BANDIED ABOUT INCLUDE KAMAL HUSSAIN, MIZANUR RAHMAN CHOUDHURY AND ABDUL MALIKUKIL OF THE AWAMI LEAGUE, GENERAL OSMANI AND ATAUR RAHMAN KHAN. ZIA'S SUPPORTERS SAY THEY WOULD NOT BE UPSET WITH ANY OF THESE; HUSSAID IS POLITICALLY INEXPERIENCED; MIZANUR RAHMAN AND UKIL CAN BE CHALLENGED ON

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 DACCA 02640 02 OF 02 271511Z

CORRUPTION, OSMANI IS "TOO BRITISH" AND ATAUR WOULD RUN TO OPPOSE THE SYSTEM OF PRESIDENTIAL SUPERIORITY. WE WILL LOOK MORE FULLY AT THE OPPONENTS IN THE FUTURE.

6. THE FAIRNESS OF THE ELECTIONS IS AN IMPORTANT FACTOR NOT ONLY FOR DOMESTIC CONSIDERATIONS (THE SPECTRE OF BHUTTO IS HAUNTING) BUT THE INTERNATIONAL REASONS AS WELL. THE APPOINTMENT OF A SENIOR AS, RESPECTED CIVIL SERVANT AS SECRETARY OF THE ELECTION COMMISSION, KAZI JALALUDDIN AHMED, WHO IS RATED TO BE WITHOUT CORRUPTION BY HIS PEERS AND ASSOCIATES IS TAKEN AS A REFLECTION OF ZIA'S OWN REPUTATION FOR INCORRUPTIBILITY AND AS A HARBINGER OF A FAIR ELECTION. JALAL CANNOT, OF COURSE, PERSONALLY SUPERVISE EACH OF THE PROJECTED 66,000 POLLING STATIONS BUT HE IS SEEN AS ONE WHO WILL NOT TOLERATE ANY DEVIATION FROM THE CAREFULLY SET RULES WHICH HE HAS ALREADY PROMULGATED. HIS APPOINTMENT (HE CONTINUES TO HOLD HIS REGULAR POST AS SECRETARY TO THE LEGISLATURE AS WELL) SEEMS ALSO TO BE DIRECTED AT FOREIGN OBSERVERS. DURING HIS OSTRACISM DURING THE MUJIB REGIME HE WORKED, PART OF THE TIME, FOR THE AMERICAN EMBASSY, AND IS ASSUMED, CORRECTLY, TO HAVE CLOSE RELATIONS WITH THIS MISSION. A FAVORABLE VIEW OF THE ELECTION PROCESS BY THE EMBASSY AND BY THE UNITED STATES GOVERNMENT IS EXPECTED BY ZIA TO REDOUND WELL TOWARD HIM AND HIS REGIME WHICH HAS BEEN SUBJECT TO CRITICISM ON HUMAN RIGHTS. JALAL WAS ALSO A KEY ACTOR IN THE RESOLUTION OF THE MISSIONARY PROBLEM LAST NOVEMBER AND DECEMBER AND THIS AIDED HIS ALREADY CORDIAL RELATIONS WITH A WIDE RANGE OF DEMOCRATIC COUNTRIES WHICH ARE ALSO IMPORTANT TO BANGLADESH. THUS WE SEE HIS COMPETENCE, HIS REPUTATION FOR HONESTY AND HIS INTERNATIONAL CONNECTIONS AS RECOMMENDING HIS SUDDEN APPOINTMENT TO THE SECRETARIAL POST.

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PAGE 03 DACCA 02640 02 OF 02 271511Z

7. JALAL HAS TOLD US THAT IN ACCEPTING THE POSITION FROM ZIA HE MADE HIS VIEWS CLEAR ON THE FAIRNESS OF THE ELECTION. HE TOLD ZIA, SO HE REPORTED TO THE POLCOUNSELOR, THAT THE REFERENDUM WAS A "FARCE" AND THAT IF THE SAME PERFORMANCE WERE EXPECTED HE WOULD NOT ACCEPT THE POST. HE REPORTED THAT ZIA AGREED BOTH WITH HIS CHARACTERIZATION OF THE REFERENDUM AND WITH HIS DEMAND ABOUT THE HONESTY OF THE PRESENT ELECTION AND ON THAT BASIS JALAL ACCEPTED THE JOB.

8. ANOTHER QUESTION WHICH IS FAR FROM SETTLED IS THE NATURE OF THE OFFICE WHICH THE PEOPLE ARE BEING ASKED TO FILL. ZIA HAS NOT YET SET DOWN THE RELATIVE POWERS OF THE PRESIDENT AND THE LEGISLATURE. HIS STATEMENTS HAVE OFTEN BEEN CONTRADICTORY. A "SOVEREIGN PARLIAMENT" AND A DIRECTLY ELECTED PRESIDENT WITH THE INHERENT STRENGTH THAT COMES WITH DIRECT ELECTION APPEAR TO BE AT ODDS. ZIA, HOWEVER, MAY BE WISE IN DELAYING A CONSTITUTIONAL PRONOUNCEMENT. THE ELECTION WILL BE HELD UNDER THE 4TH AMENDMENT, WHICH PROVIDES FOR DIRECT ELECTION (AFTER THE FIRST -- MUJIB -- WAS NAMED). IF HE OBTAINS A LARGE MAJORITY, HE CAN CONTINUE THE 4TH AMENDMENT OR MAKE CHANGES OR LEAVE IT TO A PARLIAMENT TO DO SO. IN ANY CASE, HE PRESUMABLY WILL BE THE STRONG MAN OF THE COUNTRY WITH A MANDATE FROM THE PEOPLE.

9. THERE REMAINS THE POSSIBILITY THAT ZIA MIGHT LOSE THE ELECTION. WHILE THIS WOULD BE A SURPRISE TO MOST BANGLADESHIS WITH WHOM WE TALK, IT COULD OPEN UP ALTERNATIVES WHICH WOULD NOT BE IN KEEPING WITH ZIA'S PROFESSED INTENTION TO LEAD THE COUNTRY TOWARD PARTICIPATORY GOVERNMENT. THE MOST OFTEN EXPRESSED REMEDY FOR A ZIA DEFEAT IS ANOTHER MILITARY INTERVENTION. TO WHAT EXTENT THIS WILL BE IN THE BACKS OF THE MINDS OF EDUCATED VOTERS IS UNKNOWN BUT THE PROSPECT OF DISRUPTION FOLLOWING A LOSS MUST BE A FACTOR WITH SOME VOTERS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 DACCA 02640 02 OF 02 271511Z

10. WE WILL CONTINUE TO ADDRESS THESE QUESTIONS AND OTHERS AS WE APPROACH AND REACH THE CRITICAL DATES OF THE POLL UP TO THE VOTING ON JUNE 3.
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